

LK:LXN

M-10-v65

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA

- against -

OSCAR RAMOS-LOPEZ,
also known as
"Oscar Ramos" and
"Chuko,"

C O M P L A I N T

(8 U.S.C.
§§ 1326(a) and
1326(b)(2))

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

DENNIS J. CARROLL, being duly sworn, deposes and states that he is a Deportation Officer with United States Immigration and Customs Enforcement assigned to the United States Marshals Service NY/NJ Regional Fugitive Task Force, duly appointed according to law and acting as such.

On or about December 22, 2009, within the Eastern District of New York and elsewhere, the defendant OSCAR RAMOS-LOPEZ, also known as "Oscar Ramos" and "Chuko," an alien who had previously been deported from the United States after a conviction for the commission of an aggravated felony, was found in the United States, without the Secretary of the Department of Homeland Security having expressly consented to such alien's applying for admission.

(Title 8, United States Code, Section 1326(b)(2)).

The source of your deponent's information and the grounds for his belief are as follows:^{1/}

1. I am a Deportation Officer with United States Immigration and Customs Enforcement ("ICE") and assigned to the United States Marshals Service NY/NJ Regional Fugitive Task Force and have been involved in the investigation of numerous cases involving the illegal re-entry of aliens. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the investigative file, including the defendant's criminal history record; and from reports of other law enforcement officers involved in the investigation.

2. In connection with an investigation of an attempted murder that took place on or about December 26, 2009, in Brooklyn, New York, I and other law enforcement officers conducted multiple interviews. During one interview, the witness identified the defendant OSCAR RAMOS-LOPEZ, also known as "Oscar Ramos" and "Chuko," from a photograph as a person who had been at the location where the attempted murder took place four days earlier, or on or about December 22, 2009.

3. In addition, I interviewed a person who resides at

^{1/} Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

a building located in Brooklyn, New York, who identified the defendant OSCAR RAMOS-LOPEZ, also known as "Oscar Ramos" and "Chuko," from a photograph as a resident of that building from in or about September 2008 to in or about September 2009.

4. ICE officials determined that on or about June 9, 1999, the defendant, OSCAR RAMOS-LOPEZ, using the name "Oscar Ramos," had been convicted of Assault in the Second Degree, in violation of New York Penal Code section 120.05(2), an aggravated felony, and sentenced to 2 years' imprisonment.

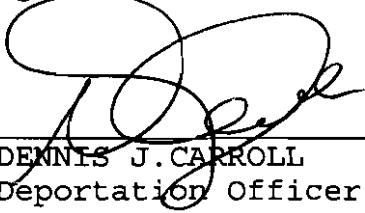
5. ICE officials also determined that on or about December 9, 1999, the defendant, OSCAR RAMOS-LOPEZ, using the name "Oscar Ramos," had been convicted of Attempted Murder in the Second Degree, in violation of New York Penal Code section 125.25(1), an aggravated felony, and sentenced to 8 years' imprisonment.

6. ICE officials further determined that on or about March 14, 2006, the defendant, OSCAR RAMOS-LOPEZ, had been removed as an aggravated felon from the United States pursuant to an Order of Removal dated November 19, 1999.

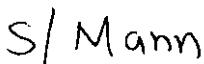
7. A preliminary search of ICE files has revealed that there exists no request by the defendant OSCAR RAMOS-LOPEZ, also known as "Oscar Ramos" and "Chuko," for permission from the Secretary of the Department of Homeland Security, successor to

the Attorney General, to re-enter the United States after deportation.

WHEREFORE, your deponent respectfully requests that the defendant OSCAR RAMOS-LOPEZ, also known as "Oscar Ramos" and "Chuko," be dealt with according to law.


DENNIS J. CARROLL
Deportation Officer
United States Immigration and
Customs Enforcement

Sworn to before me this
20th day of January, 2010


S/Mann 
JUDGE
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EASTERI ~~DISTRICT OF NEW YORK~~